

CYNTHIA BYRD ET AL

Index #: 08 CIV 5661

Plaintiff(s)

- against -

Date Filed:

THE CITY OF NEW YORK ET AL

AFFIDAVIT OF SERVICE

Defendant(s)

STATE OF NEW YORK: COUNTY OF NEW YORK ss:

SIEH CLARK BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION AND OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on June 30, 2008 at 12:05 PM at

100 CHURCH STREET
NEW YORK, NY 10007

deponent served the within true copy of the SUMMONS & COMPLAINT on THE CITY OF NEW YORK, the defendant/respondent therein named.

BY LEAVING A TRUE COPY WITH MADELYN SANTANA, LEGAL CLERK , BEING AUTHORIZED TO ACCEPT LEGAL PAPERS STATED.

Deponent further states that he describes the person actually served as follows:

Sex	Skin Color	Hair Color	Age (Approx.)	Height (Approx.)	Weight (Approx)
<u>FEMALE</u>	<u>TAN</u>	<u>BLACK</u>	<u>37</u>	<u>5'5</u>	<u>140</u>

Authorized to accept service by Legal Department

Sworn to me on: June 30, 2008

Linda Forman
Notary Public, State of New York
No. 01FO5031305
Qualified in New York County
Commission Expires August 1, 2010

Robin M. Forman
Notary Public, State of New York
No. 01FO6125415
Qualified in New York County
Commission Expires April 18,
2009

Larry Yee
Notary Public, State of New York
No. 01YE5015682
Qualified in New York County
Commission Expires July 26, 2009

SIEH CLARK
License #: 1187234
Docket #: 571147

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

X
CYNTHIA BYRD, SHASHONNA, MERCEDES
LEE and JAQUETA CURRY,

JUDGE GEDRICK

Plaintiff,

COMPLAINT

-against-

JURY TRIAL DEMANDED

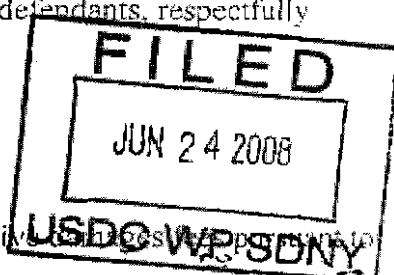
THE CITY OF NEW YORK, THE CITY OF
NEW YORK POLICE DEPARTMENT,
and P.O.'s "JOHN DOE" #1-10 individually
and in their Official Capacities(the name
"JOHN DOE" being fictitious, as the true
names are presently unknown),

ECF CASE

08 CIV. 5661

Defendants.

The Plaintiff by his attorneys, Yalkut & Israel, complaining of the defendants, respectfully
alleges as follows:



PRELIMINARY STATEMENT

1. Plaintiff brings this action for compensatory damages, punitive damages, and attorney fees under 42 U.S.C. 1983 and 42 U.S.C. 1988 for violation of their civil rights and the Constitutions of New York and the United States.

JURISDICTION

2. This action is brought pursuant to 42 U.S.C. 1983 and 42 U.S.C. 1988, and the First, Second, Third, Fourth, Fifth, Eighth and Fourteenth Amendments to the United States Constitution

VENUE

3. Venue is properly laid in the Southern District of New York under 28 U.S.C. 1331(b) in that this is the District in which the claim arose.